

REMARKS

The Office Action dated December 4, 2002 has been received and carefully noted. The above amendments and the following remarks are being submitted as a full and complete response thereto. The amendments are being made in accordance with the waiver of 37 C.F.R. 1.121 as set out in the Notice dated January 31, 2003.

Claims 1 - 15 are being submitted for reconsideration. These claims have been amended to more particularly point out and distinctly claim the invention. No new matter has been added nor have the claims been narrowed. That is, the amendments are purely cosmetic in nature.

Claims 6-15 are objected to because of informalities. Specifically, the Examiner states that the phrase "a detection means", as recited in line 1 of each of the claims lacks antecedent basis. It is unclear as to what the Examiner was looking at with respect to the word "means". However, each of the claims have been amended to more clearly recite the device for detecting the flatness of a band product.

Claims 1-15 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner states that with respect to claims 1-4 the claim language is confusing because the preamble of claim 1 is directed to a method of detecting the flatness of a band, however, the Examiner states, no actual steps of how the flatness is being determined are provided in the body of the claim. Claims 1 - 4 have been amended as needed to clearly state the method steps forming the invention. No new matter has been added.

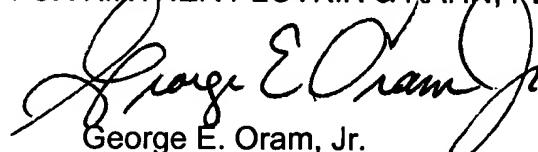
With respect to claim 5, the Examiner states that the claim language is confusing because the preamble of claim 5 is directed to a device for detecting the flatness of a band product, while the body of the claim is directed to a means for forced cooling and means for adjusting the cooling condition. The claims have been amended to recite the structure by which the device detects the flatness of the band product.

Accordingly, the Examiner is respectfully requested to withdraw the rejection and the objection, indicate the allowability of Claims 1 - 15, and pass this case to issue.

In the event this paper is not considered to be timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees that may be due with respect to this paper may be charged to Counsel's Deposit Account No. 01-2300.

Respectfully submitted,

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Enclosure: Petition for Extension of Time